

Polek, Jim

From: Polek, Jim
Sent: Wednesday, January 22, 2014 11:36 AM
To: Ty, Fatima
Subject: Sand Island WWTP NPDES Permit Language

Hi Fatima,

At the bottom of this email is the language from the Sand Island NPDES permit regarding reporting of noncompliance. It looks the County is suppose to contact the state both orally and in writing. I do not see anything about requiring public notice. The written notification is suppose to indicate what public notice efforts were conducted.

I hope this information helps answer your question.

Jim

2. Reporting of Noncompliance and Other Incidents

a. Immediate Reporting

(1) Any Bypass, Upset or Sewage Spill Resulting in or Contributing to a Discharge to State Waters

Any bypass, upset or sewage spill resulting in or contributing to a discharge to State waters shall be orally reported at the time the Permittee's authorized representative becomes aware of the circumstances.

These reporting requirements replace the *twenty-four hour notice* requirements for bypasses (Standard NPDES Conditions (updated October 1, 1997) section 17(d)(2)(B) and 40 CFR 122.41(1)(6)(ii)(A)) and upsets (Standard NPDES Conditions (updated October 1, 1997) section 18(c)(3) and 40 CFR 122.41(1)(6)(ii)(B)).

(2) Any Bypass, Upset or Sewage Spill Resulting in or Contributing to a Discharge of 1,000 Gallons or More to State Waters In addition to oral reporting under paragraph (1), immediate reporting shall be made to the Associated Press news wire services by the Permittee's authorized representative.

(3) Any Exceedance of a Maximum Daily Discharge Limitation

Any exceedance of a maximum daily discharge limitation shall be orally reported at the time the Permittee's authorized representative becomes aware of the circumstances.

b. Contact for Oral Reports

Oral reports during regular office hours (7:45 a.m. to 4:30 p.m.) shall be made to the Clean Water Branch at 808/586-4309.

Oral reports outside of regular office hours shall be made to the State-On-Scene Coordinator (SOSC) from the Office of Hazard Evaluation and Emergency Response (HEER) at 808/226-3799, or to the State Hospital Operator (24 hours) at 808/247-2191.

c. Written Submission

A written noncompliance report [submission] shall also be submitted [provided]/postmarked or faxed within five (5) working days of the time the Permittee's authorized representative becomes aware of the [circumstances] noncompliance to the Clean Water Branch at the following address:

Director of Health
State Department of Health
Environmental Management Division
Clean Water Branch
919 Ala Moana Boulevard, Room 301
Honolulu, HI 96814-4920(Fax No.: 808/586-4352)

The written noncompliance report [submission] shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the [anticipated] length of time the noncompliance [it] is expected to continue; public notice efforts, if any; clean-up efforts, if any; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

The Director of Health may waive the written report on a case-by-case basis for bypasses, upsets, sewage spills, and violations of maximum daily discharge limitations if the oral report has been received within 24 hours.

d. Other Noncompliance

The Permittee shall report all instances of noncompliance not reported under Parts I.2.a and I.2.b at the time monitoring reports are submitted as required by Part I.1 of this permit. The noncompliance reports shall contain the information listed in Part I.2.c of this permit.

James Polek
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